

# "Failure to Maintain Diversions/Sediment Control Measures"

## EVENT VIOLATIONS INSPECTORS STATEMENT

Company/Mine CO-OP Mining Company  
 Permit # C/015/025

NOVICO # 06-46-2-2  
 Violation # 2 of 2

### A. SERIOUSNESS

1. What type of event is applicable to the regulation cited? Refer to the DOGM reference list of events below and remember that the event is NOT the same as the violation. Mark and explain each event.

- ( ) a. Activity outside the approved permit area.
- ( ) b. Injury to the public (public safety).
- ( ) c. Damage to property.
- ( ) d. Conducting activities without appropriate approvals.
- ( ) e. Environmental harm.
- ☒ f. Water pollution.
- ( ) g. Loss of reclamation/revegetation potential.
- ( ) h. Reduced establishment, diverse and effective vegetative cover.
- ( ) i. No event occurred as a result of the violation.
- ☒ j. Other. Failure to Maintain Approved Surface Drainage Design

Explanation:

2. Has the event occurred? Yes ☒ No ☐

☒ Yes: Describe it.

☐ No: What would cause it to occur and what is the probability of the event(s) occurring? (None, Unlikely, Likely).

Explanation:

The inlet to culvert C-25U was blocked with ice & frozen, compacted snow. Ditch D-25U was short circuiting, allowing its flow volume to report to Catch Basin # 2, which is not designed

3. Did any damage occur as a result of the violation?

☐ No.

☐ Yes: Describe the duration and extent of the damage or impact. How much damage may have occurred if the violation had not been discovered by a DOGM inspector? Describe this potential damage and whether or not it would extend off the disturbed and/or permit area.

Explanation:

to treat this additional volume. As a result Basin #2, was discharging untreated ~~the~~ water. This water reported back onto the #3 Mine road.

B. DEGREE OF FAULT (Check the statements which apply to the violation and discuss.)

- ( ) Was the violation not the fault of the operator (due to vandalism or an act of God), explain. Remember that the permittee is considered responsible for the actions of all persons working on the mine site.

Explanation:

- ( ) Was the violation the result of not knowing about DOGM regulations, indifference to DOGM regulations or the result of lack of reasonable care.

Explanation:

- ( ) If the actual or potential environmental harm or harm to the public should have been evident to a careful operator, describe the situation and what, if anything, the operator did to correct it prior to being cited.

Explanation:

- ( ) Was the operator in violation of a specific permit condition?

Explanation:



Has DOGM or OSM cited the violation in the past? If so, give the dates and the type of warning or enforcement action taken.

Explanation:

- 1) N04-46-2-2<sup>1st</sup>, Failure to Maintain Diversions, 6/29/2004
- 2) N03-46-2-2, 2 of 2, " " " " , 7/23/2008
- 3) N04-46-1-1, Failure to Maintain Diversions, 3/23/2004

C. GOOD FAITH

1. In order to receive good faith for compliance with an NOV or CO, the violation must have been abated before the abatement deadline. If you think this applies, describe how rapid compliance was achieved (give dates) and describe the measures the operator took to comply as rapidly as possible.

The permittee notified by Division on 4/14/2006 at 11<sup>45</sup> AM that ditch D-25U and Catch Basin #2, as well as culvert inlet C-25U had been repaired to function as

2. Explain whether or not the operator had the necessary resources on site to achieve designed compliance. The operator had adequate resources on hand to make the needed repairs.

3. Was the submission of plans prior to physical activity required by this NOV/CO?  
Yes\_\_\_ No ☒ If yes, explain.

Peter Hess  
Authorized Representative

Peter Hess  
Signature

\_\_\_\_\_  
Date

Checked above diversions and sediment control measures on 4/17/2006. Both culvert C-25U and ditch D-25U had been repaired to function as designed. Catch Basin #2 had been repaired to allow flow in ditch D-25U to bypass the basin. NO6-46-2-2, 2 of 2 is terminated.